

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Sunil KUMAR et al.

Application No.: 10/586,261

Confirmation No.: 4714

Filed: February 8, 2007

Art Unit: N/A

For: BIOACTIVE COATING OF BIOMEDICAL
IMPLANTS

Examiner: Not Yet Assigned

REQUEST FOR CORRECTED NOTIFICATION OF ACCEPTANCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached hereto is the Notification of Acceptance in connection with the above-identified application.

THE FOLLOWING CORRECTION(S) ARE RESPECTFULLY REQUESTED:

DATE OF RECEIPT OF 35 U.S.C. §371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS:

Change From: "02/28/2007"

To: --02/08/2007--

DATE OF RECEIPT OF ALL 35 U.S.C. § 371 REQUIREMENTS:

Change From: "02/28/2007"

To: --02/08/2007--

As evidence of Applicant's previous submission of all filing Requirements in connection with the present application, enclosed are copies of the Letter Submitting Additional Documents for Entering National Phase for a PCT Application, the Declaration and Power of Attorney, and

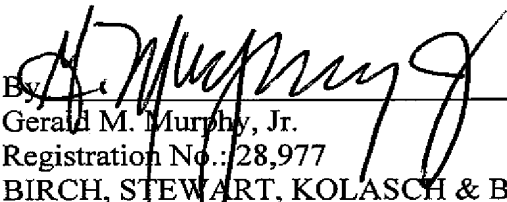
the electronic filing receipt indicating receipt of the Declaration and Power of Attorney by the United States Patent and Trademark Office and payment of the appropriate fees by the Applicant.

It is respectfully requested that the United States Patent and Trademark Office forward a new Notification of Acceptance to the undersigned attorney showing the corrections.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Dated: JAN 10 2008

Respectfully submitted,


By: _____
Gerald M. Murphy, Jr.
Registration No.: 28,977
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road, Suite 100 East
P.O. Box 747
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(703) 205-8000
Attorney for Applicant

Attachment(s)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/586,261	Sunil Kumar	0641-0283PUS1

2292
BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

INTERNATIONAL APPLICATION NO.	
PCT/AU05/00055	
I.A. FILING DATE	PRIORITY DATE
01/19/2005	01/19/2004

CONFIRMATION NO. 4714
371 ACCEPTANCE LETTER



0000000027284610

Date Mailed: 12/24/2007

NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is **ACCEPTED** for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

02/28/2007
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1),
(c)(2) and (c)(4) REQUIREMENTS

02/28/2007
DATE OF COMPLETION OF ALL
35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Copy of the International Application filed on 07/18/2006
- Copy of the International Search Report filed on 07/18/2006
- Preliminary Amendments filed on 07/18/2006
- Information Disclosure Statements filed on 09/07/2006
- Oath or Declaration filed on 02/28/2007
- Small Entity Statement filed on 07/18/2006
- U.S. Basic National Fees filed on 07/18/2006
- Priority Documents filed on 12/13/2007
- Power of Attorney filed on 02/08/2007
- Specification filed on 07/18/2006
- Claims filed on 07/18/2006
- Abstracts filed on 07/18/2006
- Drawings filed on 07/18/2006

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

Electronic Acknowledgement Receipt

EFS ID:	1502392
Application Number:	10586261
International Application Number:	
Confirmation Number:	4714
Title of Invention:	Bioactive coating of biomedical implants
First Named Inventor/Applicant Name:	Sunil Kumar
Customer Number:	2292
Filer:	Gerald M. Murphy/Patricia Siegel
Filer Authorized By:	Gerald M. Murphy
Attorney Docket Number:	0641-0283PUS1
Receipt Date:	08-FEB-2007
Filing Date:	
Time Stamp:	17:32:05
Application Type:	U.S. National Stage under 35 USC 371

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)	Multi Part /.zip	Pages (if appl.)
1		20070208SupplementalApp.pdf	220012	yes	9

Multipart Description/PDF files in .zip description			
	Document Description	Start	End
	Miscellaneous Incoming Letter	1	3
	Application Data Sheet	4	7
	Power of Attorney	8	9
Warnings:			
Information:			
Total Files Size (In bytes):		220012	
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>			

Docket No.: 0641-0283PUS1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Sunil KUMAR et al.

Application No.: 10/586,261

Confirmation No.: 4714

Filed: July 18, 2006

Art Unit: N/A

For: BIOACTIVE COATING OF BIOMEDICAL
IMPLANTS

Examiner: Not Yet Assigned

**LETTER SUBMITTING ADDITIONAL DOCUMENTS FOR ENTERING NATIONAL
PHASE FOR A PCT APPLICATION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COPY

Sir:

Under the provisions of 37 C.F.R. 1.495, attached hereto are the following additional items necessary for entering the national phase in connection with the above-identified PCT international application.

- ☐ Attached is a copy of the Notification of Missing Requirements (371 Formalities Letter).
- ☒ Attached is the Executed Declaration and Power of Attorney ☒ Original ☐ Photocopy.
- ☐ The specification attached to the executed Declaration and Power of Attorney is a true copy of the specification that was filed in the U.S. Patent and Trademark Office on July 18, 2006, including any amendments thereto (if applicable) filed on even date therewith.
- ☒ The undersigned hereby declares that "Attorney Docket No. 0641-0283PUS1" on page 1 of the attached Inventors' Declaration corresponds to Appl. No.10/586,261 filed July 18, 2006 entitled "BIOACTIVE COATING OF BIOMEDICAL IMPLANTS."

Application No.: 10/586,261

Docket No.: 0641-0283PUS1

- ☐ Attached is an English language translation of the above-identified application that was filed in a foreign language, which should be used as the copy for examination purposes.

See the attached Translator's Verification; or

The undersigned states that the English translation attached hereto is a true and correct translation of the application as originally filed in a foreign language.

- ☐ Attached are sheet(s) of drawings. Please substitute these replacement drawings for the corresponding sheet(s) of drawings on file in the above-identified application.
- ☐ Attached are substitute claims commencing on a separate sheet in accordance with 37 C.F.R. § 1.75(h).
- ☐ Attached is a substitute abstract commencing on a separate sheet in accordance with 37 C.F.R. § 1.72(b).
- ☐ Attached is a substitute specification that complies with 37 C.F.R. § 1.52. The substitute specification does not contain new matter.
- ☐ Attached is a preliminary amendment.
- ☒ Applicant claims small entity status under 37 C.F.R. § 1.27.
- ☒ Attached is a Supplemental Application Data Sheet (ADS).
- ☒ Submitted concurrently herewith under separate cover for recording is an Assignment.
- ☐ Attached is a Petition for Extension of Time.
- ☒ The Government Filing Surcharge for late filing of oath and/or declaration in the amount of \$65.00 in accordance with 37 C.F.R. §§ 1.494 and 1.492 was previously paid for concurrently with the filing of the application on July 18, 2006.

Docket No.: 0641-0283PUS1

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Respectfully submitted,

= COPY =

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GMM/jmb

Supplemental Application Data Sheet

Application Information

Application number::	10/586,261
Filing Date::	07/18/06
Application Type::	Regular
Subject Matter::	Utility
Suggested Group Art Unit::	N/A
CD-ROM or CD-R?::	None
Sequence submission?::	None
Computer Readable Form (CRF)?::	No
Title::	BIOACTIVE COATING OF BIOMEDICAL IMPLANTS
Attorney Docket Number::	0641-0283PUS1
Request for Early Publication?::	No
Request for Non-Publication?::	No
Total Drawing Sheets::	15
Small Entity?::	Yes
Petition included?::	No
Secrecy Order in Parent Appl.?::	No

Applicant Information

Applicant Authority Type::	Inventor
Primary Citizenship Country::	Australia
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Country of Residence::	Australia

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Country of mailing address:: Australia
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Correspondence Information

Correspondence Customer Number:: 02292

Representative Information

Representative Customer Number:: 02292

Domestic Priority Information

Application::	Continuity Type::	Parent Application::	Parent Filing Date::
This Application	National Stage of	PCT/AU2005/000055	01/19/05

Foreign Priority Information

Country::	Application number::	Filing Date::	Priority Claimed::
Australia	2004900202	01/19/04	No

Assignee Information

Assignee name:: University of South Australia
Street of mailing address:: North Terrace
City of mailing address:: Adelaide
Country of mailing address:: Australia
Postal or Zip Code of mailing address:: 5000

PLEASE NOTE:
YOU MUST
COMPLETE THE
FOLLOWING:

COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT AND DESIGN APPLICATIONS

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated next to my name; that I verily believe that I am the original, first and sole inventor (if only one inventor is named below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Insert Title: BIOACTIVE COATING OF BIOMEDICAL IMPLANTS

the specifications of which is attached hereto. If not attached hereto, the application is identified by the attorney docket number as set forth above and/or the following:

Fill in Appropriate
Information -
For Use
Without
Specification
Attached:

the specification was filed on 18 July 2006 as
United States Application Number 10/586,261
and amended on _____ (if applicable); and/or
the specification was filed on _____ as PCT
International Application Number _____; and was
amended on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (six months for designs) prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Insert Priority
Information:
(if appropriate)

Prior Foreign Application(s)

(Number)	(Country)	(Month / Day / Year Filed)	Priority Claimed
<u>2004900202</u>	<u>AU</u>	<u>01/19/04</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
_____	(Country)	(Month / Day / Year Filed)	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	(Country)	(Month / Day / Year Filed)	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	(Country)	(Month / Day / Year Filed)	<input type="checkbox"/> Yes <input type="checkbox"/> No

Insert Provisional
Application(s):
(if any)

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

(Application Number)	(Filing Date)
_____	_____
(Application Number)	(Filing Date)

All Foreign Applications, if any, for any Patent or Inventor's Certificate Filed more than 12 months (6 months for designs) Prior to the Filing Date of this Application:

Insert Requested
Information:
(if appropriate)

Country	Application Number	Date of Filing (Month / Day / Year)
_____	_____	_____

I hereby claim the benefit under Title 35, United States Code, §120 of any United States and/or PCT application(s), including for continuation-in-part application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States and/or PCT application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

Insert Prior U.S.
Application(s):
(if any)

(Application Number)	(Filing Date)	(Status - patented, pending, abandoned)
<u>PCT/AU2005/000055</u>	<u>01/19/05</u>	<u>pending</u>
_____	_____	_____
(Application Number)	(Filing Date)	(Status - patented, pending, abandoned)

I hereby appoint the practitioners at **CUSTOMER NO. 02292** as my attorneys or agents to prosecute this application and/or an international application based on this application and to transact all business in the Patent and Trademark Office connected therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the practitioners, unless the inventor(s) or assignee provides said practitioners with a written notice to the contrary:

Send Correspondence to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP or **CUSTOMER NO. 02292**

P.O. Box 747 • Falls Church, Virginia 22040-0747

Telephone: (703) 205-8000 • Facsimile: (703) 205-8050

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**PLEASE NOTE:
YOU MUST
COMPLETE THE
FOLLOWING:**

Full Name of First or
Sole Inventor:
Insert Name of Inventor
Insert Date This
Document is Signed

Insert Residence
Insert Citizenship

Insert Mailing
Address

Full Name of Second
Inventor, if any:

see above

Full Name of Third
Inventor, if any

see above

Full Name of Fourth
Inventor, if any

see above

Full Name of Fifth
Inventor, if any

see above

GIVEN NAME SUNIL		FAMILY NAME KUMAR		INVENTOR'S SIGNATURE <i>Sunil Kumar</i>		DATE 22 October 2006	
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MAILING ADDRESS (Complete Street Address including City, State & Country) 29 Rotz Court, Golden Grove, South Australia, 5125, Australia							
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MAILING ADDRESS (Complete Street Address including City, State & Country) 1/6 Cantala Street, Clayton, Victoria 3168, Australia							
GIVEN NAME DARREN JOHN		FAMILY NAME SIMPSON		INVENTOR'S SIGNATURE <i>Darren Simpson</i>		DATE 22 October 2006	
Residence (City, State & Country) Gwanak-gu, Seoul, Republic of Korea						CITIZENSHIP Australian	
MAILING ADDRESS (Complete Street Address including City, State & Country) B1004, BK International House, Mountain 4-2 Bongcheon-dong, Gwanak-gu, Seoul 151-050, Republic of Korea							
GIVEN NAME ROGER ST. CLAIR		FAMILY NAME SMART		INVENTOR'S SIGNATURE <i>Roger Smart</i>		DATE 22 October 2006	
Residence (City, State & Country) Tennyson, South Australia, Australia						CITIZENSHIP Australian	
MAILING ADDRESS (Complete Street Address including City, State & Country) 2/6 Bournemouth Street, Tennyson, South Australia 5022, Australia							
GIVEN NAME		FAMILY NAME		INVENTOR'S SIGNATURE		DATE*	
Residence (City, State & Country)						CITIZENSHIP	
MAILING ADDRESS (Complete Street Address including City, State & Country)							

* DATE OF SIGNATURE